

STATEMENT OF PURPOSE**RS22141**

To deter metal theft and to protect owners of metal property, this legislation requires scrap dealers to take certain photographs or create digital video records as part of the records related to the sale of nonferrous or stainless steel property purchased from the general public, makes certain metal thefts felonies, and provides liability protection for owners of certain metal property.

FISCAL NOTE

An exact measure of the fiscal impact of this legislation cannot be accurately calculated due to a number of factors. Currently, there is no data on the number of cases involving damage to utility and communications facilities or entry into electric substations for the purpose of metal theft. As a result, the number of possible cases involving these crimes cannot be predicted. In addition, prosecutors have the discretion of whether and how to prosecute crimes and it is impossible to know the extent to which prosecutors will choose to use this statute. Finally, any increase in incarceration costs cannot be determined in the absence of evidence of the number of convictions that will be obtained. Based upon these unknown variables, an exact fiscal impact cannot currently be calculated. The annual cost of incarceration, however, in today's dollars is $\$53.24 \times 365 = \$19,433$ that would apply to those convicted and sentenced to the state penitentiary.

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